

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-293-JRG
vs.)	
)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS CO, LTD;)	(Lead Case)
SAMSUNG ELECTRONICS AMERICA,)	
INC.; SAMSUNG SEMICONDUCTOR)	
INC.,)	
)	
Defendants.)	

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-294-JRG
vs.)	
)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.; MICRON)	
SEMICONDUCTOR PRODUCTS, INC.;)	
MICRON TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	

JOINT 4-3 CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Local P.R. 4-3 and the Court’s Docket Control Order (Dkt. 66), Plaintiff Netlist, Inc. (“Netlist”) and Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Semiconductor Inc. (collectively “Samsung”) and Micron Technology Inc. (“Micron Technology”), Micron Semiconductor Products, Inc. (“Micron Semiconductor”), and Micron Technology Texas, LLC (“Micron Texas”) (collectively, “Micron”) submit this Joint Claim Construction and Prehearing Statement with regard to the following patents:

U.S. Pat. No 7,619,912 (the “’912 patent”);

U.S. Pat. No 9,858,215 (the “’215 patent”);

U.S. Pat. No 11,093,417 (the “’417 patent”); and

U.S. Pat. No 10,268,608 (the “’608 patent”).¹

I. P.R. 4-3(a)(1): Agreed Constructions

A. ’912 patent

N/A.

B. ’215 patent

Claim(s)	Term	Agreed Construction
1	“A memory module operable in a computer system to communicate data with a memory controller of the computer system via a memory bus in response to memory commands received from the memory controller, the memory commands including a first memory command and a subsequent second memory command, the first memory command to cause the memory module to receive or output a first data burst and the second memory command to cause the memory module to receive or output a second data burst, the memory module comprising”	The preamble is limiting.
21	“A method of operating a memory module coupled to a memory controller via a memory bus, the memory module comprising memory	The preamble is limiting.

¹ Herein, Samsung does not identify any proposed constructions or extrinsic evidence for U.S. Patent No. 10,268,608 (“the ’608 patent”) because the patent is not asserted in Netlist’s operative complaint in this action. The Court has not ruled on Netlist’s motion to amend its complaint to add the ’608 patent, which Samsung opposes. Dkt. 62. Samsung objects to Netlist’s identification of terms for a patent that has not been added to the case. Samsung reserves the right to identify proposed terms for constructions, preliminary constructions, and extrinsic evidence if the ’608 patent is permitted to be added to the case in the future.

Claim(s)	Term	Agreed Construction
	integrated circuits arranged in ranks and mounted on a printed circuit board having a plurality of edge connections coupled to the memory bus, the memory integrated circuits including at least one first memory integrated circuit in a first rank and at least one second memory integrated circuit in a second rank, the method comprising”	

C. '417 patent

Claim(s)	Term	Agreed Construction
1	“A memory module operable in a computer system to communicate data with a memory controller of the computer system via a N-bit wide data bus in response to memory commands received from the memory controller, the memory bus including address and control signal lines and data signal lines, the memory module comprising”	The preamble is limiting.

D. '608 patent²

N/A.

II. P.R. 4-3(a)(2): Disputed Terms

Exhibits A, B and C attached hereto contain respectively, Netlist, Samsung and Micron’s proposed constructions for each disputed term, phrase, or clause together with the intrinsic and extrinsic evidence that the parties contend support their proposed constructions.

III. P.R. 4-3(a)(3): Anticipated Length of Time for the Claim Construction Hearing

² Asserted against Samsung only.

The parties agree and expect that 3 hours will provide sufficient time to conduct the claim construction hearing.

IV. P.R. 4-3(a)(4): Anticipated Witnesses at the Claim Construction Hearing

The parties may present testimony from the parties' experts opining on claim construction issues in the form of written declarations and/or deposition testimony, to aid the Court in making its findings.

V. P.R. 4-3(a)(5): Other Issues to be Addressed at the Claim Construction Hearing

Currently, the parties do not believe that there are any other issues that might be appropriately addressed at a prehearing conference prior to the claim construction hearing.

Dated: July 13, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, July 13, 2023, a copy of the foregoing was served to all counsel of record.

/s/ Yanan Zhao
Yanan Zhao